

Appl. No. 09/972,368  
Amdt. Dated 06/07/2005  
Reply to Office Action of 02/08/2005

### **REMARKS**

This Amendment is in response to the Office Action mailed on 02/08/2005. In the Office Action, (i) Claims 1, 2, 7, 15, 17-19, 27-30, 32, 33, 41, 42 and 44 were rejected under 35 U.S.C. § 102; (ii) claims 16, 20, 31 and 43 were rejected under 35 U.S.C. § 103; and (iii) claims 3-6, 8-14, 21-26, 34-40, and 45-49 were objected for being dependent from rejected claims. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Applicant has amended claims 1-2, 4, 8, 17, 22-27, 35-36, 41, and 46-49 by this response. Applicant has cancelled claims 3, 21, 34, and 45 without prejudice. Applicant has added no new claim. Accordingly, claims 1-2, 4-20, 22-33, 35-44, and 46-49 are now pending. Of the pending claims, claims 1, 8, 17, 27, and 41 are independent claims.

Applicant believes that no new matter has been added by this response.

#### **D. Claim Objections**

Claims 3-6, 8-14, 21-26, 34-40, and 45-49 were objected to for being dependent upon a rejected base claim. The Office Action indicated that these claims would be allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims. [Office Action, page 7, section 6]. Applicant respectfully thanks the Examiner for an indication of allowable subject matter.

Regarding dependent claim 3, Applicant has added the limitations of dependent claim 3 into independent claim 1 so that claim 1 is now in condition for allowance. Accordingly, Applicant has cancelled dependent claim 3 without prejudice. Accordingly, Claim 4 has been amended to change its dependence to depend from independent claim 1.

Regarding dependent claim 8, Applicant has amended claim 8 into independent form including the limitations of the base claim, independent claim 1. There were no intervening claims. Thus, Applicant respectfully submits that claim 8 amended into independent form is now in condition for allowance.

Regarding dependent claim 21, Applicant has added the limitations of dependent claim 21 into independent claim 17 so that claim 17 is now in condition for allowance. Accordingly,

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Applicant has cancelled dependent claim 21 without prejudice. Accordingly, claims 22-26 have been amended to change their dependence to depend from independent claim 17.

Regarding dependent claim 34, Applicant has added the limitations of dependent claim 34 into independent claim 27 so that claim 27 is now in condition for allowance. Accordingly, Applicant has cancelled dependent claim 34 without prejudice. Accordingly, claims 35-36 have been amended to change their dependence to depend from independent claim 27.

Regarding dependent claim 45, Applicant has added the limitations of dependent claim 45 into independent claim 41 so that claim 41 is now in condition for allowance. Accordingly, Applicant has cancelled dependent claim 45 without prejudice. Accordingly, claims 46-49 have been amended to change their dependence to depend from independent claim 41.

Dependent claims 2, 4-7, and 15-16 now depend directly or indirectly from independent claim 1.

Dependent claims 9-14 now depend directly or indirectly from independent claim 8.

Dependent claims 18-20 and 22-26 remain dependent directly or indirectly from independent claim 17.

Dependent claims 28-33 and 35-40 remain dependent directly or indirectly from independent claim 27.

Dependent claims 42-44 and 46-49 remain dependent directly or indirectly from independent claim 41.

As independent claims 1, 8, 17, 27, and 41 have been amended and are believed to be in condition for allowance, dependent claims 2, 4-7, 15-16; 9-14; 18-20, 22-26; 28-33, 35-40; and 42-44, 46-49 depending respectively therefrom with added limitations are also in condition for allowance.

For the foregoing reasons, Applicant respectfully submits that these amendments and the cancellation of claims 3, 21, 34, 45 now make this objection moot and respectfully requests its withdrawal.

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## **II) Claim Rejections Under 35 U.S.C. § 102**

Claims 1, 2, 7, 15, 17-19, 27-30, 32, 33, 41, 42 and 44 were rejected under 35 U.S.C. § 102(e) as being anticipated by US 6,625,241 issued to Robert G. Mejia ("Mejia"). [Office Action, page 2, section 2]. Applicant respectfully traverses.

As discussed in the prior section, claims 3, 21, 34 and 45 were indicated as being allowable in independent form.

Applicant has amended independent claims 1, 17, 27, and 41 to add the limitations of dependent claims 3, 21, 34 and 45 respectfully therein so that independent claims 1, 17, 27, and 41 are now in condition for allowance.

Rejected dependent claims 2, 7, 15; 18-19; 28-30, 32-33; 42-44 depend respectively from independent claims 1, 17, 27, and 41.

As independent claims 1, 17, 27, and 41 have been amended and are believed to be in condition for allowance, dependent claims 2, 7, 15; 18-19; 28-30, 32-33; 42-44 depending respectively there-from with added limitations are also in condition for allowance.

Applicant respectfully requests the withdrawal of the 35 U.S.C. § 102(e) rejection of claims 1, 2, 7, 15, 17-19, 27-30, 32, 33, 41, 42 and 44 under Mejia.

## **III) Claim Rejections Under 35 U.S.C. § 103**

Claims 20, 31 and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mejia as applied to claims 17, 30 and 41 respectively and in view of US 6,757,348 issued to Vila et al. ("Vila"). [Office Action, page 6, section 4].

Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Mejia as applied to claim 1. [Office Action, page 7, section 5].

As discussed previously, Applicant has amended independent claims 1, 17, 27, and 41 to add the limitations of dependent claims 3, 21, 34 and 45 respectfully therein so that independent claims 1, 17, 27, and 41 are now in condition for allowance.

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Rejected dependent claims 16, 20, 31, and 43 depend respectively from independent claims 1, 17, 27, and 41.

As independent claims 1, 17, 27, and 41 have been amended and are believed to be in condition for allowance, dependent claims 16, 20, 31, and 43 depending respectively there-from with added limitations are also in condition for allowance.

Applicant respectfully requests that the Examiner withdraw both 35 U.S.C. § 103(a) claim rejections of claims 16, 20, 31 and 43.

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### CONCLUSION

In view of the foregoing it is respectfully submitted that the pending claims are in condition for allowance.

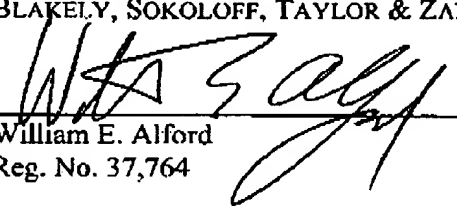
Reconsideration of the rejections and objections is requested. Allowance of the pending claims at an early date is respectfully solicited.

The Examiner is invited to contact Applicant's undersigned counsel by telephone at (714) 557-3800 to expedite the prosecution of this case should there be any unresolved matters remaining.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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Dated: June 7, 2005

  
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#### CERTIFICATE OF FACSIMILE TRANSMISSION

*I hereby certify that this correspondence is being transmitted via facsimile to the Patent and Trademark Office under 37 CFR §1.8 on: June 7, 2005 to Examiner Kevin Kim at (703) 872-9306.*

  
Pat Sullivan

6/7/05

Date